



## FISCAL MEMORANDUM

### HB 1388 - SB 1191

March 1, 2023

**SUMMARY OF BILL AS AMENDED (004593):** Terminates the Radiologic Imaging and Radiation Therapy Board of Examiners (Board) with no wind-down period. Authorizes the Board of Medical Examiners (BME) to promulgate rules for the issuance of X-ray certifications, including minimum educational requirements, standards, and application fees. Prohibits a person from performing X-ray procedures in a physician's office without being licensed as a physician, or certified by the BME. Prohibits a certified X-ray operator from performing X-ray procedures without an order from a physician or osteopathic physician, or under the supervision of a physician or osteopathic physician.

### FISCAL IMPACT OF BILL AS AMENDED:

#### NOT SIGNIFICANT

Assumptions for the bill as amended:

- The Board met on May 12, 2022, and unanimously voted to withdraw their pending rules which were set to be effective on June 6, 2022. The Board has not been able to issue licenses since that time.
- According to information provided by the DOH, board members have not received reimbursement from the Board since their rules were withdrawn; therefore, no estimated decrease in expenditures.
- The BME and the Board of Osteopathic Examination are currently authorized to issue licenses to operators of X-ray equipment. It is assumed that current licensing requirements and fees will remain consistent.
- The BME can promulgate rules to implement the proposed legislation within existing personnel and resources; therefore, any fiscal impact is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Radiologic Imaging and Radiation Therapy Board of Examiners had a deficit of \$23,613 in FY20-21, a deficit of \$52,293 in FY21-22, and a cumulative reserve deficit of \$369,465 on June 30, 2022.
- The Board of Medical Examiners had a surplus of \$937,379 in FY20-21, a surplus of \$902,739 in FY21-22, and a cumulative reserve balance of \$3,289,036 on June 30, 2022.
- The Division of Health-Related Boards had a surplus of \$2,931,602 in FY20-21, a surplus of \$2,687,730 in FY21-22, and a cumulative reserve balance of \$37,100,641 on June 30, 2022.

- According to information provided by the DOH, the Board's cumulative deficit will be absorbed by the reserve balance of the Division of Health-Related Boards.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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